

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

THE CITY OF HUNTINGTON,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-01362

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

CABELL COUNTY COMMISSION,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-01665

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

ORDER

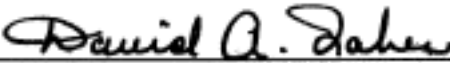
Pending before the court is the "Motion of Nonparties University Physicians & Surgeons, Inc. and the Marshall University Board of Governors for Award of Expenses Incurred in Responding to Third Party Discovery." ECF No. 815. By Order of Appointment entered on March 9, 2020, discovery matters were referred to Special Master Wilkes. See ECF No. 200. Indeed, as the motion itself makes clear, Judge Wilkes oversaw the discovery production that is at the heart of the nonparties' motion. Therefore, Special Master Wilkes is uniquely situated to evaluate

the merits of the motion for expenses. Accordingly, consistent with the Order of Appointment, the court refers the motion to Special Master Wilkes and requests the submission of a written recommendation regarding disposition. See ECF No. 200 at p.3 ("If the court asks a Special Master to submit a formal report or recommendation regarding any matter, the Special Master shall submit such report or recommendation in writing, for filing on the case docket.").

The Clerk is directed to send copies of this Order to those counsel of record who have registered to receive an electronic NEF and to Special Master Wilkes.

IT IS SO ORDERED this 12th day of January, 2021.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge